

REMARKS

Applicants have studied the Office Action of October 8, 2004 ("Office Action"), this response to which is being filed within two months of its mailing date. It is respectfully submitted that the application is in condition for allowance. Claims 42-54 and 56-65 are pending in the present application; claims 42-54 and 56-59 having been allowed in the Office Action, for which Applicants thank Examiner. Claims 62-64 remain withdrawn from consideration, and claims 60, 61 and 65 were rejected.

In the Office Action, Examiner rejected claims 60, 61 and 65 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, Examiner found that claims 60 and 65 each related to a product (*i.e.*, an animal model) yet the particular elements of the claims related to method steps "*for studying the function and mode of action of pituitary tumor transforming gene (PTTG) in mammalian physiology*" and "*for studying [various disease conditions]*," respectively. Examiner found that claim 61 referred to "*the method of claim 60*," but that this phrase lacked antecedent basis as claim 60 related to an animal model, and not to a method.

By virtue of the present Amendment, claims 60 and 65 have been amended to correct this inadvertent error, such that they each describe "*A method for studying . . .*" rather than describing animal models. Moreover, the amendment to Applicants' claim 60 is believed to obviate the antecedent basis issue in claim 61. Therefore, Applicants believe that these claims, as amended, are sufficiently definite.

In light of the foregoing remarks, Applicants respectfully submit that claims 60, 61 and 65 are sufficiently definite, and therefore request reconsideration and withdrawal of this rejection under 35 U.S.C. § 112, second paragraph.

In the office action dated January 29, 2003, Examiner required election among five embodiments of Applicants' invention; identified as Groups I, II, III, IV and V. Applicants elected the claims of Group I for prosecution on the merits. In that office action, Examiner indicated that Applicants' original claim 1 linked the embodiments of their invention described in Group I to Groups III, IV and V, and further indicated that Applicants' original claims 27-31 linked the embodiments of their invention described in Groups III, IV and V to one another. Although each of these original linking claims has since been canceled, for purposes of

restriction practice, Applicants' pending claims 62, 63 and 64 are substantively similar to Applicants' original claims 33, 34 and 35, which described the particular features of the restricted subject matter in Groups III, IV and V, respectively.

Applicants respectfully submit that claims 56-58 and 60 are each allowable, and therefore submit that the non-elected embodiments of their invention described in pending claims 62-64 must be rejoined and fully examined for patentability under 37 CFR 1.104 (MPEP § 809.04).

Applicants believe that the present amendment and foregoing remarks place the application in condition for allowance. A favorable action is respectfully requested. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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